

LAST MINUTE AGENDA INFORMATION

10/11/12 Special Meeting

(Agenda Related Writings/Documents provided to a majority of the Oversight Board after distribution of the Agenda Packet for the October 11, 2012 Special meeting.)

<u>ITEM NO.</u>	<u>DESCRIPTION</u>
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4.A.	<p>RESOLUTION NO. OB-12-12 DISPUTING THE FINDINGS OF THE COUNTY AUDITOR-CONTROLLER IN ITS REVIEW OF THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) FOR THE PERIOD OF JANUARY 1, 2013 THROUGH JUNE 30, 2013 AND REFERRING THE MATTER TO THE STATE DEPARTMENT OF FINANCE FOR CONSIDERATION.</p> <p>a. Exhibit K – Letter from California Department of Finance to City of Imperial Beach, dated May 29, 2012.</p>
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Attorneys for Respondent and Defendant
8 *Ana Matosantos, Director of the Department of Finance*

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF SACRAMENTO

11 CITY OF PALMDALE, CITY OF
12 GLENDALE, CITY OF CULVER CITY,
13 CITY OF HUNTINGTON BEACH, CITY
14 OF PASADENA, CITY OF INGLEWOOD,
15 CITY OF NATIONAL CITY, CITY OF
16 IMPERIAL BEACH, AND CITY OF
17 HAYWARD ACTING SOLELY IN THEIR
CAPACITIES AS SUCCESSOR
AGENCIES UNDER CALIFORNIA
HEALTH & SAFETY CODE §§34171(J)
AND 34173 AS ENACTED BY ASSEMBLY
BILL NO. IX 26 OF THE 2011-12 FIRST
EXTRAORDINARY SESSION,

18 Petitioners and Plaintiffs,

19 v.

20 ANA MATOSANTOS, in her official
capacity as Director of the State of
California Department of Finance; WENDY
21 WATANABE, in her official capacity as the
Auditor-Controller of the County of Los
22 Angeles; DAVID SUNDSTROM, in his
official capacity as the Auditor-Controller of
23 the County of Orange; TRACY
SANDOVAL, in her official capacity as the
24 Auditor-Controller of the County of San
Diego; PATRICK O'CONNELL, in his
25 official capacity as the Auditor-Controller
of the County of Alameda; and DOES 1-50,
26 inclusive,

27 Respondents and Defendants.
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Case No. 34-2012-80001154

**FINANCE DIRECTOR ANA
MATOSANTOS'S SUPPLEMENTAL
REQUEST FOR JUDICIAL NOTICE**

Date: May 30, 2012
Time: 2:00 p.m.
Dept: 29
Judge: Honorable Timothy M. Frawley
Trial Date: None
Action Filed: May 22, 2012

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Exhibit K is a letter from the California Department of Finance to the City of Imperial Beach dated May 29, 2012 approving all of the items on the proposed Recognized Obligation Payment Schedules (ROPS) for January through June 2012 and July through December 2012.

Wherefore, respondent prays for an Order granting this request, and that the Court take judicial notice of the foregoing exhibit.

Respectfully Submitted,

Stephanie Zink

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10905485.doc

EXHIBIT K



DEPARTMENT OF
FINANCE

EDMUND G. BROWN JR. • GOVERNOR

915 L STREET ■ SACRAMENTO CA ■ 95814-3706 ■ WWW.DOF.CA.GOV

May 29, 2012

Gregory Wade, Deputy Director
City of Imperial Beach
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

Dear Mr. Wade:

Pursuant to Health and Safety Code (HSC) section 34177 (l) (2) (C), the City of Imperial Beach Successor Agency submitted a Recognized Obligation Payment Schedule (ROPS) to the California Department of Finance (Finance) on April 12, 2012 for the periods January to June 2012 and July to December 2012. Finance has completed its review of your ROPS which may have included obtaining clarification for various items. Based on our review, we are not questioning any items at this time.

Finance may continue to review items on this ROPS and may identify additional issues concerning which we may contact you for clarification. In addition, items not questioned during this review are subject to fresh review if they are included on a future ROPS. If new information comes to light indicating that an item included on a future ROPS is not an enforceable obligation, Finance reserves the right to remove that item from the future ROPS, even if it was not removed from the preceding ROPS.

Please refer to Exhibit 12 at http://www.dof.ca.gov/assembly_bills_26-27/view.php for the amount of Redevelopment Property Tax Trust Fund (RPTTF) that was approved by Finance. Although we are not questioning any items at this time, the items on the ROPS identified as having Redevelopment Property Tax Trust Fund as the funding source are only payable to the extent actual property tax is available.

Please direct inquiries to Robert Scott, Supervisor or Jenny DeAngelis, Lead Analyst at (916) 322-2985.

Sincerely,

MARK HILL
Program Budget Manager

cc: Mr. Gary Brown, Executive Director, City of Imperial Beach
Ms. Jacqueline M. Hald, City Clerk, City of Imperial Beach
Mr. Juan Perez, Senior Auditor and Controller Manager, County of San Diego
Ms. Nenita DeJesus, Senior Auditor and Controller Accountant, County of San Diego

Insert Foot Path (Supervisor will complete)

J:\ROPS approval letters\Imperial Beach ROPS approval letter.docx

E-mail address of addressee:

Mr. Greg Wade, Deputy Executive Director, City of Imperial Beach
gwade@cityofib.org

E-mail address of ccs:

Mr. Gary Brown, Executive Director, City of Imperial Beach
gbrown@cityofib.org

Ms. Jacqueline M. Hald, City Clerk, City of Imperial Beach
jhald@cityofib.org

Mr. Juan Perez, Senior Auditor and Controller Manager, County of San Diego
Juan.perez@sdcounty.ca.gov

Ms. Nenita DeJesus, Senior Auditor and Controller Accountant, County of San Diego
Nenita.dejesus@sdcounty.ca.gov

(ROPS Denial Letter v. 05/03/12)

DECLARATION OF SERVICE BY ELECTRONIC MAIL

Case Name: **City of Palmdale v. Matosantos**
No.: **34-2012-80001154**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made.

On May 30, 2012, I served the attached

FINANCE DIRECTOR ANA MATOSANTOS'S SUPPLEMENTAL REQUEST FOR JUDICIAL NOTICE

by transmitting a true copy via electronic mail addressed as follows:

Guillermo A. Frias
Kane, Ballmer & Berkman
E-mail Address:
gfrias@kbblaw.com

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Orange County Counsel
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William A. Johnson, Jr.
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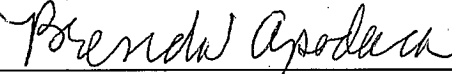
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john.seyman@acgov.org

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on May 30, 2012, at Sacramento, California.

Brenda Apodaca
Declarant


Signature